

FILED 19 DEC 19 16:22 USDC ORP

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA

3:19-cr- 00596-SI

v.

INDICTMENT

RICHARD STEVEN ALBERTS, II, and
JOSEPH LUCIO JIMENEZ,

21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and
846

Defendants.

Forfeiture Allegation

UNDER SEAL

THE GRAND JURY CHARGES:

COUNT 1
(Conspiracy to Distribute Controlled Substances)
(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 846)

Beginning at a time unknown and continuing up to and including June 7, 2019, in the District of Oregon, RICHARD STEVEN ALBERTS, II, and JOSEPH LUCIO JIMENEZ, defendants herein, did unlawfully, knowingly, and intentionally combine, conspire, confederate and agree, with other persons whose names are known and unknown to the Grand Jury, to commit the following objects of the conspiracy, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 846:

Objects of the Conspiracy

- A. **Distribution of Methamphetamine:** The conspirators agreed to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C)(viii);
- B. **Distribution of Heroin:** The conspirators agreed to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C)(i);

Manner and Means

The manner and means used to accomplish the objectives of the conspiracy included, among others, the following:

1. The defendants and others stored, transported, and concealed controlled substances.
2. The defendants and others used cellular telephones to further the possession and distribution of controlled substances.
3. The defendants and others distributed controlled substances into the Coffee Creek Correctional Facility.
4. On or about June 3, 2019, defendant **JOSEPH LUCIO JIMENEZ** knowingly and intentionally distributed heroin.
5. Between about June 3, 2019, and June 6, 2019, defendant **RICHARD STEVEN ALBERTS, II**, knowingly and intentionally distributed heroin.

COUNT 2
(Distribution of Heroin)
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)(i))

On or about June 3, 2019, in the District of Oregon, defendant **JOSEPH LUCIO JIMENEZ**, did unlawfully, knowingly, and intentionally distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C)(i).

COUNT 3
(Distribution of Heroin)
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)(i))

Between about June 3, 2019, and June 6, 2019, in the District of Oregon, defendant **RICHARD STEVEN ALBERTS, II**, did unlawfully, knowingly, and intentionally distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C)(i).

FORFEITURE ALLEGATION

Upon conviction of the offenses alleged in Counts 1 - 3, defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the aforesaid violations, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations, including but not limited to the following:

- a. A money judgment for a sum of money equal to the amount of property representing the amount of proceeds obtained as a result of the offenses alleged in Counts 1 - 3.

If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

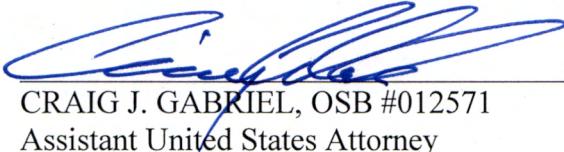
Dated: December 19, 2019

A TRUE BILL.

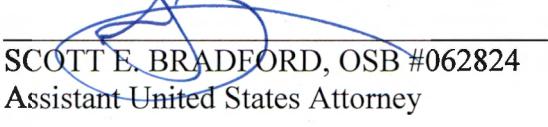
OFFICIATING FOREPERSON

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